

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 03-40266 CBS

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Plaintiff

v.

TOWN OF NORTH BROOKFIELD,

Defendant

AFFIDAVIT OF THOMAS W. MCENANEY

I, Thomas W. McEnaney, depose and state the following:

1. I am attorney at Kopelman and Paige, P.C. and counsel of record for the Town of North Brookfield in the above-captioned matter.
2. The documents attached to the Rule 56.1 Statement of Facts submitted with the Town's Motion for Partial Summary Judgment, with the exception of the Affidavit of James Murray, are true and accurate copies of pleadings or documents that were produced from the records of the Town, project architect or plaintiff relative to the North Brookfield Junior/Senior High School project.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS ____ DAY
OF DECEMBER, 2005.

/s/ Thomas W. McEnaney
Thomas W. McEnaney